

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re: ZIRKELBACH CONSTRUCTION, INC.

§ Case No. 8:18-bk-07736-CPM

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

CAROLYN R. CHANEY, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$1,000.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>N/A</u>
Total Distributions to Claimants: <u>\$49,049.57</u>	Claims Discharged Without Payment: <u>N/A</u>
Total Expenses of Administration: <u>\$139,426.53</u>	

3) Total gross receipts of \$194,476.10 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$6,000.00 (see **Exhibit 2**), yielded net receipts of \$188,476.10 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$722,702.82	\$863,367.84	\$1,063.00	\$1,063.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	\$0.00	\$191,426.76	\$191,426.76	\$139,426.53
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	\$0.00	\$21,114.75	\$21,114.75	\$0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	\$12,575,792.67	\$16,111,725.64	\$16,062,810.23	\$47,986.57
TOTAL DISBURSEMENTS	\$13,298,495.49	\$17,187,634.99	\$16,276,414.74	\$188,476.10

4) This case was originally filed under chapter 7 on 09/12/2018. The case was pending for 63 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 12/13/2023

By: /s/ CAROLYN R. CHANEY
Trustee

STATEMENT This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
A/R Over 90 days old. Face amount = \$3,851,534.42. Doubtful/Uncollectible	1121-000	\$12,755.07
Potential interest in funds deposited in Court Registry for B&B Steel Services, LLC vs. Inter-Faith Assistance Ministry,	1129-000	\$2,396.45
Westfield Insurance Policy which includes the umbrella policy. General Liability; Auto Liability; Employers Liability	1129-000	\$105,000.00
Zirkelbach Construction Inc vs. Andrews and Associates Inc, 4D Engineering 7 Associates LLC, Patrick J. Andrews, Jerome	1149-000	\$40,000.00
2005 Wells Cargo Trailer	1229-000	\$1,900.00
Receipts - Other	1229-000	\$32,424.58
TOTAL GROSS RECEIPTS		\$194,476.10

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
DOUGLAS MENCHISE	Order Granting Motion to Approve Compromise, Doc. #160	8500-000	\$6,000.00
TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES			\$6,000.00

EXHIBIT 3 - SECURED CLAIMS

Claim No.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
3	Manatee County Tax Collector	4110-000	NA	\$1,378.55	\$0.00	\$0.00
23	Continental Paving, Inc.	4220-000	\$60,212.05	\$76,708.48	\$1,063.00	\$1,063.00
36-S	303 West, LLC	4220-000	\$0.00	\$49,419.34	\$0.00	\$0.00
38	Johnson and Jackson Glass Products, Inc. dba Glass Pros Of Tampa	4210-000	NA	\$88,892.05	\$0.00	\$0.00
39	All American Contracting	4210-000	\$145,000.00	\$175,126.89	\$0.00	\$0.00
49-2	Complete Business Solutions Group, Inc.	4210-000	\$493,526.27	\$447,878.03	\$0.00	\$0.00
50S	B&B Steel Services, LLC	4210-000	\$23,964.50	\$23,964.50	\$0.00	\$0.00
N/F	Corporation Service Company	4210-000	\$0.00	NA	NA	NA
N/F	Corporation Service Company	4210-000	\$0.00	NA	NA	NA
N/F	Wells Fargo Financial	4210-000	\$0.00	NA	NA	NA
TOTAL SECURED			\$722,702.82	\$863,367.84	\$1,063.00	\$1,063.00

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee, Fees - CAROLYN R. CHANEY	2100-000	NA	\$12,973.81	\$12,973.81	\$8,415.08
Trustee, Expenses - CAROLYN R. CHANEY	2200-000	NA	\$944.63	\$944.63	\$612.71
Auctioneer Fees - BAY AREA AUCTION SERVICES, INC.	3610-000	NA	\$95.00	\$95.00	\$95.00
Auctioneer Expenses - BAY AREA AUCTION SERVICES, INC.	3620-000	NA	\$242.00	\$242.00	\$242.00
Charges, U.S. Bankruptcy Court	2700-000	NA	\$350.00	\$350.00	\$227.01
Bank Service Fees - Mechanics Bank	2600-000	NA	\$1,014.54	\$1,014.54	\$1,014.54
Bank Service Fees - Metropolitan Commercial Bank	2600-000	NA	\$3,070.42	\$3,070.42	\$3,070.42
Bank Service Fees - Rabobank, N.A.	2600-000	NA	\$61.23	\$61.23	\$61.23
Other Chapter 7 Administrative Expenses - Avalon Document Services	2990-000	NA	\$1,454.26	\$1,454.26	\$1,454.26
Attorney for Trustee Fees (Other Firm) - Jason S. Mazer, Esquire	3210-000	NA	\$34,965.00	\$34,965.00	\$34,965.00
Attorney for Trustee Fees (Other Firm) - STITCHER, RIEDEL, BLAIN & POSTLER, P.A.	3210-000	NA	\$108,077.00	\$108,077.00	\$70,090.54
Attorney for Trustee Expenses (Other Firm) - Jason S. Mazer, Esquire	3220-000	NA	\$1,671.43	\$1,671.43	\$1,671.43
Attorney for Trustee Expenses (Other Firm) - STITCHER, RIEDEL, BLAIN & POSTLER, P.A.	3220-000	NA	\$4,224.67	\$4,224.67	\$2,739.80
Accountant for Trustee Fees (Other Firm) - ANDREA P. BAUMAN, CPA	3410-000	NA	\$2,625.00	\$2,625.00	\$1,702.63
Special Accountant for Trustee Fees - KAPILA MUKAMAL, LLP	3410-580	NA	\$18,703.80	\$18,703.80	\$12,129.87
Accountant for Trustee Expenses (Other Firm) - ANDREA P. BAUMAN, CPA	3420-000	NA	\$26.25	\$26.25	\$17.03
Special Accountant for Trustee Expenses - KAPILA MUKAMAL, LLP	3420-590	NA	\$27.72	\$27.72	\$17.98
Arbitrator/Mediator for Trustee Fees - BUSH ROSS	3721-000	NA	\$900.00	\$900.00	\$900.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		NA	\$191,426.76	\$191,426.76	\$139,426.53

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
19-2	Internal Revenue Service	5800-000	\$0.00	\$1,022.58	\$1,022.58	\$0.00
41	State of Florida - Department of Revenue	5800-000	\$0.00	\$20,092.17	\$20,092.17	\$0.00
N/F	Ken Burton Jr.	5600-000	\$0.00	NA	NA	NA
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$21,114.75	\$21,114.75	\$0.00

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	Axiom Foundations, LLC Kevin Day	7100-000	NA	\$0.00	\$0.00	\$0.00
2	Axiom Foundations, LLC Kevin Day	7100-000	NA	\$0.00	\$0.00	\$0.00
4	Taylor Studios, Inc.	7100-000	NA	\$154,996.27	\$154,996.27	\$0.00
5	Centennial Bank	7100-000	\$110,000.00	\$1,057,537.08	\$1,057,537.08	\$0.00
6	American Momentum Bank c/o John M. "Jack" Brennan, Jr.	7100-000	\$2,000,000.00	\$2,244,331.06	\$2,244,331.06	\$47,986.57
7	Sears Contract, Inc.	7100-000	\$0.00	\$105,544.53	\$105,544.53	\$0.00
8	Dickinson Wright, PLLC	7100-000	\$279,886.16	\$349,021.53	\$349,021.53	\$0.00
9	James River Equipment, Inc	7100-000	\$48,868.38	\$48,915.41	\$48,915.41	\$0.00
10	James River Equipment, Inc.	7100-000	\$16,981.91	\$48,915.41	\$0.00	\$0.00
11	R. Carr, Inc. Plumbing	7100-000	\$78,027.30	\$15,000.00	\$15,000.00	\$0.00
12	Southern Flooring, Inc	7100-000	\$64,800.00	\$21,600.00	\$21,600.00	\$0.00
13	Terracon	7100-000	\$3,748.20	\$1,720.00	\$1,720.00	\$0.00
14	Fidelity & Deposit Company of Maryland c/o Alberta L. Adams Mills Paskert Divers	7100-000	\$1,400,000.00	\$1,157,285.64	\$1,157,285.64	\$0.00
15	The Paul Construction Company, Inc.	7100-000	\$0.00	\$39,180.91	\$39,180.91	\$0.00
16	Superior Crane and Rigging, Inc.	7100-000	\$2,000.00	\$2,081.50	\$2,081.50	\$0.00
17	Dallas 1 Corporation	7100-000	\$0.00	\$30,000.00	\$30,000.00	\$0.00

18	DLI Assets Bravo, LLC	7100-000	\$0.00	\$238,395.79	\$238,395.79	\$0.00
20	Key Equipment Finance	7100-000	NA	\$10,291.49	\$10,291.49	\$0.00
21	American Arbitration Association	7100-000	NA	\$350.00	\$350.00	\$0.00
22	Amerisure Mutual Insurance Company Julie E. Yates, Esq.	7100-000	\$5,214.00	\$5,054.00	\$5,054.00	\$0.00
24	United Site Services of FL LLC	7100-000	NA	\$2,443.67	\$2,443.67	\$0.00
25	United Site Services of FL LLC	7100-000	\$14,819.05	\$12,375.38	\$12,375.38	\$0.00
26	BB&T Commercial Equipment Capital Corp.	7100-000	\$31,124.41	\$31,124.41	\$31,124.41	\$0.00
27	Kanter & Associates PA CPA	7100-000	\$32,532.55	\$32,532.55	\$32,532.55	\$0.00
28-2	Florida Floors Southwest, Inc.	7100-000	\$60,564.00	\$32,344.64	\$32,344.64	\$0.00
29	Windstream	7100-000	\$2,239.87	\$2,296.70	\$2,296.70	\$0.00
30	Southeastern Surface	7100-000	\$70,000.00	\$26,234.00	\$26,234.00	\$0.00
31	Hancock Whitney Bank	7100-000	\$42,911.49	\$42,911.49	\$42,911.49	\$0.00
32	The Solomon Law Group, P.A.	7100-000	\$160,000.00	\$140,697.53	\$140,697.53	\$0.00
33	Scannell Properties #217, LLC	7100-000	\$891,497.98	\$1,969,146.08	\$1,969,146.08	\$0.00
34	Tradesmen International, LLC	7100-000	NA	\$37,000.50	\$37,000.50	\$0.00
35	Waste Management Inc. of Florida	7100-000	\$19,000.00	\$19,915.03	\$19,915.03	\$0.00
36-2	303 West, LLC	7100-000	NA	\$1,342,279.87	\$1,342,279.87	\$0.00
37-2	Harold G. Munter as Trustee of the Harold G. Munter Revocable Living Trust	7100-000	\$1,005,000.00	\$1,262,777.21	\$1,262,777.21	\$0.00

40	DiversiCon, LLC d/b/a West Florida Fence	7100-000	\$35,348.75	\$35,348.75	\$35,348.75	\$0.00
42	Patten, Peterman, Bekkedahl & Green PLLC	7100-000	\$34,554.44	\$7,942.10	\$7,942.10	\$0.00
43	Fabricated Products of Tampa Inc.	7100-000	\$287,000.00	\$261,135.99	\$261,135.99	\$0.00
44	Larry S. Hyman, Chapter 7 Trustee of CM HVAC Holdings, LLC	7100-000	\$550,000.00	\$615,040.00	\$615,040.00	\$0.00
45	Charter MC Mallard, LLC	7100-000	\$150,000.00	\$243,073.83	\$243,073.83	\$0.00
46	Charter HC Tampa Gunn, LLC	7100-000	NA	\$4,030,295.73	\$4,030,295.73	\$0.00
47	Johnson Controls Security Solutions, LLC	7100-000	NA	\$20,908.76	\$20,908.76	\$0.00
48	National Construction Rental	7100-000	\$11,221.56	\$14,083.78	\$14,083.78	\$0.00
50U	B&B Steel Services, LLC	7200-000	NA	\$342,535.00	\$342,535.00	\$0.00
51	Supplee, Shea, Cramer & Rocklein, PA	7200-000	NA	\$1,307.92	\$1,307.92	\$0.00
52-2	AFSC, LLC	7200-000	NA	\$17,645.10	\$17,645.10	\$0.00
53	JLJ Wall Systems, LLC	7100-000	NA	\$38,109.00	\$38,109.00	\$0.00
N/F	321 Equipment Co.	7100-000	\$1,276.31	NA	NA	NA
N/F	AT&T	7100-000	\$185.00	NA	NA	NA
N/F	Aaa Ceiling	7100-000	\$9,130.00	NA	NA	NA
N/F	Ace Automatic Fire Sprinkler	7100-000	\$6,100.00	NA	NA	NA
N/F	Acousti Engineering	7100-000	\$101,000.00	NA	NA	NA
N/F	Acton Mobile	7100-000	\$4,111.56	NA	NA	NA
N/F	Acu-Temp Heating & Coolings	7100-000	\$15,055.00	NA	NA	NA

N/F	Advantage Waste Recycle	7100-000	\$2,804.20	NA	NA	NA
N/F	Ahrens Companies	7100-000	\$0.00	NA	NA	NA
N/F	All Florida Framing & Trim	7100-000	\$3,029.40	NA	NA	NA
N/F	American Asphalt Paving	7100-000	\$35,000.00	NA	NA	NA
N/F	Ashley Mattison	7100-000	\$2,500.00	NA	NA	NA
N/F	Atlantic Steel	7100-000	\$7,307.00	NA	NA	NA
N/F	Audio Video Parnters	7100-000	\$3,950.00	NA	NA	NA
N/F	Bobcat Holdings, LLC	7100-000	\$1,453.55	NA	NA	NA
N/F	Bonitz Flooring Group, Inc	7100-000	\$28,267.86	NA	NA	NA
N/F	City of Palmetto	7100-000	\$273.79	NA	NA	NA
N/F	Cleaning Butlers	7100-000	\$287.43	NA	NA	NA
N/F	Commercial Coatings	7100-000	\$0.00	NA	NA	NA
N/F	Commercial Plastering	7100-000	\$35,000.00	NA	NA	NA
N/F	Continental Paving, Inc	7100-000	\$60,212.05	NA	NA	NA
N/F	Cook Construction	7100-000	\$22,000.00	NA	NA	NA
N/F	Core & Main, LP	7100-000	\$10,715.55	NA	NA	NA
N/F	Creative Environmental	7100-000	\$1,975.00	NA	NA	NA
N/F	Dale Beasley Construction	7100-000	\$40,672.57	NA	NA	NA
N/F	David Ash Plumbing	7100-000	\$15,440.01	NA	NA	NA
N/F	DisposAll	7100-000	\$2,753.84	NA	NA	NA
N/F	Dynamic Innovationz	7100-000	\$4,297.70	NA	NA	NA

N/F	Eaton Investment	7100-000	\$498,805.51	NA	NA	NA
N/F	Encore Technology Group	7100-000	\$2,626.21	NA	NA	NA
N/F	F Quality Walls	7100-000	\$200,000.00	NA	NA	NA
N/F	Fedex	7100-000	\$555.00	NA	NA	NA
N/F	Frontier Communication	7100-000	\$240.94	NA	NA	NA
N/F	Future Fence Company	7100-000	\$70,000.00	NA	NA	NA
N/F	Gaylor Electric	7100-000	\$320,000.00	NA	NA	NA
N/F	Glass Pros Of Tampa	7100-000	\$50,000.00	NA	NA	NA
N/F	Green Roofing &	7100-000	\$5,621.20	NA	NA	NA
N/F	HC Tampa Gunn, LLC	7100-000	\$1,800,000.00	NA	NA	NA
N/F	HH Staffing	7100-000	\$3,048.10	NA	NA	NA
N/F	Hancock Whitney Bank	7100-000	\$1,487.50	NA	NA	NA
N/F	Hardware Distributor	7100-000	\$2,064.56	NA	NA	NA
N/F	Here Rental	7100-000	\$280,000.00	NA	NA	NA
N/F	Hiechel Plumbing	7100-000	\$6,144.50	NA	NA	NA
N/F	Hire Quest, LLC	7100-000	\$23,965.55	NA	NA	NA
N/F	Home Renovations	7100-000	\$2,169.04	NA	NA	NA
N/F	Innovative Mechanical	7100-000	\$2,890.00	NA	NA	NA
N/F	J Goss Structures	7100-000	\$18,796.00	NA	NA	NA
N/F	Jason's Hauling, Inc	7100-000	\$41,582.86	NA	NA	NA
N/F	Jimmy McCarter	7100-000	\$0.00	NA	NA	NA
N/F	K Harvey	7100-000	\$2,548.20	NA	NA	NA

N/F	Kaufman Glass	7100-000	\$475.00	NA	NA	NA
N/F	Langford Surveying	7100-000	\$0.00	NA	NA	NA
N/F	Lewis, Longman & Walker PA	7100-000	\$7,202.04	NA	NA	NA
N/F	Lewis, Longman & Walker PA	7100-000	\$7,202.04	NA	NA	NA
N/F	Martin Mechanical	7100-000	\$179,928.90	NA	NA	NA
N/F	Maser Consulting Pa	7100-000	\$29,718.98	NA	NA	NA
N/F	Maxters Enterprises	7100-000	\$1,870.00	NA	NA	NA
N/F	Mobile Mini, Inc.	7100-000	\$6,762.05	NA	NA	NA
N/F	N.C. Turnpike Authority	7100-000	\$50.00	NA	NA	NA
N/F	Niagra Mohawk Power Corp	7100-000	\$4,140.75	NA	NA	NA
N/F	Novak Services LLC	7100-000	\$7,250.00	NA	NA	NA
N/F	Otis Elevator	7100-000	\$6,000.00	NA	NA	NA
N/F	Overhead Door of Toledo	7100-000	\$9,951.55	NA	NA	NA
N/F	PJ Callaghan Company, Inc	7100-000	\$30,000.00	NA	NA	NA
N/F	Phosco Electric Supply Co	7100-000	\$0.00	NA	NA	NA
N/F	Premier Fire Sprinkler	7100-000	\$0.00	NA	NA	NA
N/F	Q4 Industries, LLC	7100-000	\$1,500.00	NA	NA	NA
N/F	Quarter Spot Funding	7100-000	\$125,801.14	NA	NA	NA
N/F	Ram Tool And Supply	7100-000	\$39,224.10	NA	NA	NA
N/F	Reagan Realty	7100-000	\$2,400.00	NA	NA	NA
N/F	Realty Link	7100-000	\$195,425.90	NA	NA	NA

N/F	Republic Services	7100-000	\$1,018.59	NA	NA	NA
N/F	Roll Off Systems, Inc	7100-000	\$900.00	NA	NA	NA
N/F	Ross R. Hartog, CH 7 Trustee	7100-000	\$337,500.00	NA	NA	NA
N/F	Royal Flush	7100-000	\$500.00	NA	NA	NA
N/F	Rozar Electric, Inc	7100-000	\$78,722.50	NA	NA	NA
N/F	Sherwin-Williams Co.	7100-000	\$2,817.73	NA	NA	NA
N/F	Southern Exteriors	7100-000	\$12,390.00	NA	NA	NA
N/F	St Mary's Health Care System	7100-000	\$96,703.00	NA	NA	NA
N/F	Statewide Safety	7100-000	\$38,000.00	NA	NA	NA
N/F	Stidhams Rentals	7100-000	\$227.36	NA	NA	NA
N/F	Tampa Service Company d/b/a	7100-000	\$0.00	NA	NA	NA
N/F	The Glassman	7100-000	\$3,235.00	NA	NA	NA
N/F	The Plummer Painting	7100-000	\$16,943.00	NA	NA	NA
N/F	U.S. Assure	7100-000	\$0.00	NA	NA	NA
N/F	University Sports	7100-000	\$5,000.00	NA	NA	NA
N/F	Verizon Wireless	7100-000	\$7,000.00	NA	NA	NA
N/F	Walton Emc	7100-000	\$250.00	NA	NA	NA
N/F	West Coast Electric	7100-000	\$140,000.00	NA	NA	NA
N/F	Westfield Insurance	7100-000	\$25,000.00	NA	NA	NA
TOTAL GENERAL UNSECURED CLAIMS			\$12,575,792.67	\$16,111,725.64	\$16,062,810.23	\$47,986.57

Form 1
Individual Estate Property Record and Report
Asset Cases

Exhibit 8
Page: 1

Case No.: 8:18-bk-07736-CPM

Trustee Name: (290680) CAROLYN R. CHANEY

Case Name: ZIRKELBACH CONSTRUCTION, INC.

Date Filed (f) or Converted (c): 09/12/2018 (f)

For Period Ending: 12/13/2023

§ 341(a) Meeting Date: 10/11/2018
Claims Bar Date: 01/14/2019

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Cash on hand	0.00	0.00		0.00	FA
2	Checking Account at Bank of America - Petty Cash Account	0.00	0.00		0.00	FA
3	A/R Over 90 days old. Face amount = \$3,851,534.42. Doubtful/Uncollectible	3,851,534.42	3,851,534.42		12,755.07	FA
4	(1) Dell PowerEdge R530 Server Intel Xeon 16 GB (1) MS Server Exchange Lie	1,000.00	1,000.00		0.00	FA
5	www.zconstruction.com	Unknown	0.00		0.00	FA
6	Westfield Insurance Policy which includes the umbrella policy. General Liability; Auto Liability; Employers Liability	10,000,000.00	10,000,000.00		105,000.00	FA
7	Zirkelbach Construction Inc vs. Andrews and Associates Inc, 4D Engineering 7 Associates LLC, Patrick J. Andrews, Jerome S Andrews Case No: 2017CA005356AX, Civil Lawsuit. Amount Requested: \$4,220,161.34 (PENDING ADVERSARY PROC. #18-ap-00603) Settlement of \$40,000 with \$6,000 paid to Merchise for Alan Zirkelbach estate.	Unknown	100.00		40,000.00	FA
8	Zirkelbach Construction Inc vs. Florida Floors Southwest Inc. Case No: 2016CA001598AX, Civil Lawsuit. Amount Requested: \$34,748.00 (defendant business is no longer in business; uncollectible)	Unknown	100.00		0.00	FA
9	Zirkelbach Construction, Inc vs. Bank of the Ozarks Case No: 2017CA004119AX, Civil Lawsuit. Amount Requested: \$218,000.00	Unknown	100.00		0.00	FA
10	Potential legal malpractice lawsuit against Patten, Peterman, Bekkedahl & Green PLLC. Money being held in escrow account in the amount of \$32,500.00 for legal fees. Potential legal malpractice lawsuit.	Unknown	100.00		0.00	FA
11	Potential interest in funds deposited in Court Registry for B&B Steel Services, LLC vs. Inter-Faith Assistance Ministry, Inc., et al Case No: 17-CVS-2193	23,964.50	23,964.50		2,396.45	FA
12	Receipts - Other (u)	0.00	0.00		32,424.58	FA
13	2005 Wells Cargo Trailer (u)	0.00	0.00		1,900.00	FA
13	Assets Totals (Excluding unknown values)	\$13,876,498.92	\$13,876,898.92		\$194,476.10	\$0.00

Form 1
Individual Estate Property Record and Report
Asset Cases

Exhibit 8
Page: 2

Case No.: 8:18-bk-07736-CPM

Trustee Name: (290680) CAROLYN R. CHANEY

Case Name: ZIRKELBACH CONSTRUCTION, INC.

Date Filed (f) or Converted (c): 09/12/2018 (f)

For Period Ending: 12/13/2023

§ 341(a) Meeting Date: 10/11/2018

Claims Bar Date: 01/14/2019

Major Activities Affecting Case Closing:

Distribution to creditors 10/05/23.
02/28/23 - final estate returns sent to IRS. TFR submitted to UST 06/28/23. TFR approved and NFR mailed 08/17/23.
11/18/22 - application to employ CPA. Application granted 11/21/22.
09/20/22 - compromise approved; awaiting receipt of funds. 11/15/22 - referral to CPA for final estate return.
07/07/22 - followup w/ CNSL re: funds in court registry. 08/22/22 - motion filed to compromise controversy re: funds in court registry.
04/26/22 - funds in court registry is lone asset remaining to be liquidated; dispute w/ creditor re: secured claim to the funds.
02/04/22 - Order approving compromise of Andrews adversary proc. (18-ap-00603).
Adversary status conference contd to 09/21/21. Trial set for 12/27/21 at 9:30. 01/04/22 - Joint motion to approve compromise of adv proc. 18-ap-00603.
03/01/21 - filed motion to compromise with 303 West, LLC. Granted 04/01/21. Status conf held on 04/05/21; contd to 07/12/21.
01/15/21 - Zoom mediation in adversary proc. Sold trailer on 12/19/20; issued bill of sale.
11/30/20 - status conf. held in adversary proc; parties to attend mediation before 01/21/21; next status conf. on 01/25/21.
10/20/20 - filed applic to employ auctioneer to sell trailer; auction on Nov. 21.
Status conf on adv. proc. on 09/22/20; contd to 11/30/20. 06/23/20 - motion to approve compromise w/ Bank OZK. 07/08/20 - payment to counsel. 08/11/20 - email to CNSL for status update.
Compromise granted. Agreed motion to cancel July trial Debtor vs. Andrews.
01/10/20 - attended mediation in insurance lawsuit. Executed settlement agreement w/ Westfield Insurance.
03/12/20 - filed motion to approve compromise.
07/30/19 - file update with CNSL. 09/30/19 - file check; review of documents for insurance CNSL.
04/30/19 - file check; continuing to gather info for insurance claim. 05/31/19 - file check; file review. 06/25/19 - file check; review.
02/26/19 - file review; records retrieved from under review. 03/26/19 - file review; records received from CPA under review.
12/18/18 - filed notice of removal. 12/27/18 - hrg on American Momentum stay relief for insurance proceeds and A/R; matter contd to 1/29/19. Established weekly conference calls with outside counsel.
12/17/18 - notice of filing various state court documents in the bky case.
11/19/18 - application to employ Jason Mazer as special litigation counsel. Approved 11/21/18.
10/26/18 - filed app to employ KapilaMukamal, forensic accountants. Approved 11/08/18.
10/23/18 - stay relief requested by American Momentum Bank.
10/11/18 - 341 mtg held and concluded. 10/12/18 - req. addl info from CNSL.
10/05/18 - filed application to employ Stichter law firm to represent Trustee. Approved.

Initial Projected Date Of Final Report (TFR): 12/31/2020

Current Projected Date Of Final Report (TFR): 06/28/2023 (Actual)

12/13/2023

/s/CAROLYN R. CHANEY

Date

CAROLYN R. CHANEY

Form 2**Exhibit 9**

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Cash Receipts And Disbursements Record

Case No.: 8:18-bk-07736-CPM **Trustee Name:** CAROLYN R. CHANEY (290680)
Case Name: ZIRKELBACH CONSTRUCTION, INC. **Bank Name:** Mechanics Bank
Taxpayer ID #: **-**6854 **Account #:** *****6000 Checking
For Period Ending: 12/13/2023 **Blanket Bond (per case limit):** \$42,225,000.00
Separate Bond (if applicable): N/A

1	2	3	4	5	6	7	
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
10/12/18	{3}	Woods Charter School Development, LLC	Accounts Receivable.	1121-000	11,000.00		11,000.00
10/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		5.00	10,995.00
11/30/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		9.03	10,985.97
12/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		8.72	10,977.25
01/23/19	{12}	HESI - Transocean Assigned Claims	Deepwater Horizon Economic & Property Damages Settlement	1229-000	6,539.58		17,516.83
01/31/19		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		11.17	17,505.66
02/28/19		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		13.42	17,492.24
03/29/19		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		13.89	17,478.35
05/03/19	101	Avalon Document Services	Invoice ##TAPR190095. Client Ref# Zirkelbach Construction	2990-000		377.88	17,100.47
06/01/19	{3}	Johnston, Allison and Hord, PA Trust Account	Refund of retainage re: Mountain Island Charter School	1121-000	1,640.74		18,741.21
07/02/19	{12}	Westfield Insurance	Receipts - Other	1229-000	1,000.00		19,741.21
07/29/19	{3}	Johnston, Allison and Hord, PA Trust Account	Refund of retainage re: Mountain Island Charter School	1121-000	114.33		19,855.54
08/19/19	{12}	SCANA SETTLEMENT	Receipts - Other	1229-000	1.08		19,856.62
03/17/20	102	BUSH ROSS	Order Granting Motion to Authorize Payment of Mediation Fees and Costs, Doc. No. 85.	3721-000		900.00	18,956.62
03/31/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		15.48	18,941.14
04/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		30.27	18,910.87
05/27/20	{6}	Westfield Insurance	Insurance proceeds received per Order Granting Motion to Approve Compromise with Westfield Insurance, Doc. No. 98.	1129-000	105,000.00		123,910.87
05/29/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		29.21	123,881.66
06/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		211.20	123,670.46
07/08/20	103	Jason S. Mazer, Esquire	Order Approving Application for Payment of Compensation, Doc. No. 109.	3210-000		34,965.00	88,705.46
07/08/20	104	Jason S. Mazer, Esquire	Order Approving Application for Payment of Compensation, Doc. No. 109.	3220-000		1,671.43	87,034.03
07/31/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		176.93	86,857.10
08/31/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		134.20	86,722.90
09/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		147.86	86,575.04
10/06/20	105	Avalon Document Services	Order Granting Motion to Pay Ch 7 Admin Expenses, Doc. No. 116.	2990-000		541.97	86,033.07
10/06/20	106	Avalon Document Services	Order Granting Motion to Pay Ch 7 Admin Expenses, Doc. No. 116.	2990-000		534.41	85,498.66

Page Subtotals: \$125,295.73 \$39,797.07

Form 2
Cash Receipts And Disbursements Record

Exhibit 9

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Case No.:	8:18-bk-07736-CPM	Trustee Name:	CAROLYN R. CHANEY (290680)
Case Name:	ZIRKELBACH CONSTRUCTION, INC.	Bank Name:	Mechanics Bank
Taxpayer ID #:	**-***6854	Account #:	*****6000 Checking
For Period Ending:	12/13/2023	Blanket Bond (per case limit):	\$42,225,000.00
		Separate Bond (if applicable):	N/A

1	2	3	4	5	6	7	
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
10/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		137.51	85,361.15
11/30/20		Mechanics Bank	Bank and Technology Services Fees	2600-000		131.88	85,229.27
12/02/20	{12}	COOK V SCPSA	Receipts - Other	1229-000	97.79		85,327.06
12/16/20		Transfer Debit to Metropolitan Commercial Bank acct XXXXXX7016	Transition Debit to Metropolitan Commercial Bank acct XXXXXX7016	9999-000		85,327.06	0.00

COLUMN TOTALS	125,393.52	125,393.52	\$0.00
Less: Bank Transfers/CDs	0.00	85,327.06	
Subtotal	125,393.52	40,066.46	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$125,393.52	\$40,066.46	

Form 2**Exhibit 9**

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Cash Receipts And Disbursements Record

Case No.:	8:18-bk-07736-CPM	Trustee Name:	CAROLYN R. CHANEY (290680)
Case Name:	ZIRKELBACH CONSTRUCTION, INC.	Bank Name:	Metropolitan Commercial Bank
Taxpayer ID #:	**-***6854	Account #:	*****7016 Checking Account
For Period Ending:	12/13/2023	Blanket Bond (per case limit):	\$42,225,000.00
		Separate Bond (if applicable):	N/A

1	2	3	4	5	6	7	
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
12/16/20		Transfer Credit from Mechanics Bank acct XXXXXX6000	Transition Credit from Mechanics Bank acct XXXXXX6000	9999-000	85,327.06		85,327.06
12/31/20		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		150.00	85,177.06
01/29/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		131.95	85,045.11
02/10/21	{13}	BAY AREA AUCTION SERVICES, INC.	Proceeds from auction sale, Sale Notice at Doc. 121.	1229-000	1,900.00		86,945.11
02/13/21	1000	BAY AREA AUCTION SERVICES, INC.	Order Approving Compensation for Auctioneer, Doc. No. 125	3610-000		95.00	86,850.11
02/13/21	1001	BAY AREA AUCTION SERVICES, INC.	Order Approving Compensation for Auctioneer, Doc. No. 125	3620-000		242.00	86,608.11
02/26/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		128.68	86,479.43
03/02/21	1002	Continental Paving, Inc.	Proceeds from sale of trailer at auction, Doc. No. 121.	4220-000		1,063.00	85,416.43
03/31/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		151.66	85,264.77
04/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		136.65	85,128.12
05/21/21	{12}	BB & T	Turnover of account balance in retainage bank account	1229-000	24,714.81		109,842.93
05/28/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		132.62	109,710.31
06/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		193.41	109,516.90
07/12/21	1003	American Momentum Bank c/o John M. "Jack" Brennan, Jr.	Payment pursuant to Agreed Order Granting Surcharge of Insurance Settlement Proceeds, Doc. No. 154.	7100-000		47,986.57	61,530.33
07/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		152.45	61,377.88
08/31/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		104.92	61,272.96
09/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		98.20	61,174.76
10/29/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		94.77	61,079.99
11/30/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		104.41	60,975.58
12/31/21		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		100.98	60,874.60
01/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		94.31	60,780.29
02/28/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		90.92	60,689.37
03/17/22	{7}	Patrick J. Andrews	Settlement of Adv. Proc. #18-ap-00603, Doc. No. 160.	1149-000	40,000.00		100,689.37
03/29/22	1004	DOUGLAS MENCHISE	Order Granting Motion to Approve Compromise, Doc. #160	8500-000		6,000.00	94,689.37
03/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		136.92	94,552.45
04/29/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		151.29	94,401.16

Page Subtotals: \$151,941.87 \$57,540.71

Form 2

Exhibit 9

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Cash Receipts And Disbursements Record

Case No.: 8:18-bk-07736-CPM **Trustee Name:** CAROLYN R. CHANEY (290680)
Case Name: ZIRKELBACH CONSTRUCTION, INC. **Bank Name:** Metropolitan Commercial Bank
Taxpayer ID #: **-**6854 **Account #:** *****7016 Checking Account
For Period Ending: 12/13/2023 **Blanket Bond (per case limit):** \$42,225,000.00
Separate Bond (if applicable): N/A

1	2	3	4	5	6	7	
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
05/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		146.25	94,254.91
09/22/22	{12}	Wells Fargo Bank Customer Care	Bank refund of interest and fees	1229-000	26.04		94,280.95
09/30/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		151.07	94,129.88
10/31/22		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		145.83	93,984.05
11/23/22	{11}	Clerk of Superior Court Henderson County, SC	Receipt of funds held in state court registry per Order Approving Compromise, Doc. No. 172.	1129-000	2,396.45		96,380.50
03/08/23	{12}	Cook v SCPSA	Refund received from Santee Cooper class settlement	1229-000	45.28		96,425.78
03/31/23		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		159.67	96,266.11
04/28/23		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		144.00	96,122.11
05/31/23		Metropolitan Commercial Bank	Bank and Technology Services Fees	2600-000		169.46	95,952.65
06/14/23	1005	STITCHER, RIEDEL, BLAIN & POSTLER, P.A.	Order Approving Application for Final Compensation for Stichter, Riedel Law Firm, Doc. No. 184.	3210-000		70,090.54	25,862.11
06/14/23	1006	STITCHER, RIEDEL, BLAIN & POSTLER, P.A.	Order Granting Final Application for Compensation for Stichter, Riedel Law Firm, Doc. No. 184.	3220-000		2,739.80	23,122.31
06/14/23	1007	KAPILA MUKAMAL, LLP	Order Approving Application for Final Compensation for Melissa Davis, CPA, Doc. No. 183.	3410-580		12,129.87	10,992.44
06/14/23	1008	KAPILA MUKAMAL, LLP	Order Approving Application for Final Compensation for Melissa Davis, CPA, Doc. No. 183.	3420-590		17.98	10,974.46
10/05/23	1009	CLERK	CASE NAME: ZIRKELBACH CONSTRUCTION, INC.. CLAIM # CLERK. CLAIM ALLOWED: \$350.00. CLAIM DIVIDEND: 64.86%.	2700-000		227.01	10,747.45
10/05/23	1010	CAROLYN R. CHANEY	CASE NAME: ZIRKELBACH CONSTRUCTION, INC.. CLAIM # FEE. CLAIM ALLOWED: \$12,973.81. CLAIM DIVIDEND: 64.86%.	2100-000		8,415.08	2,332.37
10/05/23	1011	CAROLYN R. CHANEY	CASE NAME: ZIRKELBACH CONSTRUCTION, INC.. CLAIM # TE. CLAIM ALLOWED: \$944.63. CLAIM DIVIDEND: 64.86%.	2200-000		612.71	1,719.66
10/05/23	1012	ANDREA P. BAUMAN, CPA	CASE NAME: ZIRKELBACH CONSTRUCTION, INC.. CLAIM # . CLAIM ALLOWED: \$2,625.00. CLAIM DIVIDEND: 64.86%.	3410-000		1,702.63	17.03
10/05/23	1013	ANDREA P. BAUMAN, CPA	CASE NAME: ZIRKELBACH CONSTRUCTION, INC.. CLAIM # . CLAIM ALLOWED: \$26.25. CLAIM DIVIDEND: 64.88%.	3420-000		17.03	0.00

COLUMN TOTALS	154,409.64	154,409.64	\$0.00
Less: Bank Transfers/CDs	85,327.06	0.00	
Subtotal	69,082.58	154,409.64	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$69,082.58	\$154,409.64	

Form 2Exhibit 9
Page: 5**Cash Receipts And Disbursements Record**

Case No.: 8:18-bk-07736-CPM **Trustee Name:** CAROLYN R. CHANEY (290680)
Case Name: ZIRKELBACH CONSTRUCTION, INC. **Bank Name:** Metropolitan Commercial Bank
Taxpayer ID #: **-***6854 **Account #:** *****7016 Checking Account
For Period Ending: 12/13/2023 **Blanket Bond (per case limit):** \$42,225,000.00
Separate Bond (if applicable): N/A

Net Receipts:	\$194,476.10
Plus Gross Adjustments:	\$0.00
Less Payments to Debtor:	\$0.00
Less Other Noncompensable Items:	\$0.00
Net Estate:	\$194,476.10

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
*****6000 Checking	\$125,393.52	\$40,066.46	\$0.00
*****7016 Checking Account	\$69,082.58	\$154,409.64	\$0.00
	\$194,476.10	\$194,476.10	\$0.00

12/13/2023

Date

/s/CAROLYN R. CHANEY

CAROLYN R. CHANEY